

REMARKS

The office action of December 6, 2004, has been carefully considered.

It is noted that claims 1-7 and 10-14 are rejected under 35 U.S.C. 102(e) over the patent to Fajour et al.

Claims 8 and 9 are objected to for depending from a rejected base claim but would be allowable if rewritten in independent form.

It is respectfully submitted that the claims presently on file differ essentially and in an unobvious, highly advantageous manner from the constructions disclosed in the references.

In rejecting the claims the Examiner simply refers to the entire written description of Fajour and does not point out any specific elements that correspond to the elements recited in the claims of the present application. In order for the applicant to provide a meaningful response to the Examiner's rejection it would be helpful to have a more concrete idea of what parts of Fajour the Examiner is relying on as anticipating the features recited

in, at the very least independent claim 1. In spite of this lack of direction by the Examiner applicant will once again attempt to point out the differences between the present invention, as claimed, and the disclosure of Fajour.

As previously mentioned, Fajour discloses a device that has an ink-jet print head and a row of jets, as well as a control for selectively controlling the jets of the print head for printing the letter under the print head. For printing the stamp, only one part of the jets is activated by the control and the other jets of the print head have through flow during idling in order to clean the jets and prevent crusting of the ink. For this purpose, a holder 31 is placed under the print head in order to catch ink from the jets to be cleaned. The cleaning takes place particularly in the time between the passage of one letter and the introduction of a next letter. The row of jet can be separated into a number of jet sets or groups that are alternately activated by the control for printing or cleaning.

At column 1, lines 24-32, Fajour states that the print head is essentially in the shape of a box with a plurality of nozzles mounted in a row. AT column 1, lines 33-41, Fajour describes how the number of nozzles determines the size of the pattern to be

printed. Furthermore, at lines 54-61 of column 1, Fajour describes how a cartridge with 256 nozzles is controlled so that some of the nozzles are not excited and thus different size marks can be printed. Then, at column 2, lines 2-12, Fajour describes how the print cartridge dysfunctions due to some of the nozzles not being excited and the ink drying in the nozzles. Fajour's objective is to remedy this problem.

As shown in Fig. 3 of Fajour and discussed in column 4, lines 7-24, the jets B0-B239 are selected for printing the stamp and the jets B240-B255 are not selected for the franking cycle but instead are activated for cleaning or idling. For the jets that are not activated for franking, a smaller holder is arranged under the print head to catch the ink from the jets B240-B255 that are being emptied. The holder 31 must be constructed to catch the ink from the appropriate jets being cleaned. The jets not activated for printing the stamp are cyclically emptied, preferably after each franking cycle, when there is no letter in front of the print head. Although Fajour teaches a franking machine in which the ink-jet print head can be regenerated, the construction and the function are different than the presently claimed invention.

The Examiner argues that Fajour discloses "a transport device

that has two drive rollers" and "a jet opening plane of the print head". Applicant respectfully submits that Fajour does not disclose these features. Furthermore, Fajour does not disclose a service slide, arranged on a guide arrangement so as to be drivingly movable transverse to the conveying direction of the postal objects, which is moveable into a service position which is arranged underneath the print head when the counterpressure rollers are lowered, as in the presently claimed invention. There is no disclosure in the reference cited by the Examiner of a construction having all the features recited in independent claim 1 as discussed above.

Furthermore, in the present invention the maintenance, i.e. cleaning of the print head jets, does not take place during franking, but instead when the device is not operating. In Fajour, on the other hand the maintenance takes place during an idling operation of the jets between two printing cycles. This is completely different than the presently claimed invention.

In view of these considerations it is respectfully submitted that the rejection of claims 1-7 and 10-14 under 35 U.S.C. 102(e) over the above-discussed reference is overcome and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450, on March 3, 2005.

By: *F. Kueffner*
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